

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to
All Cases

**THE BOEING COMPANY'S ELEVENTH STATUS REPORT
ON REMAINING INDIVIDUAL ACTIONS**

Pursuant to the Court's Minute Entry of September 10, 2021, Boeing hereby provides an updated report on the number and status of the remaining claims.

As result of continued negotiations and the assistance of the mediator, Judge Donald O'Connell, Boeing is pleased to report that claims relating to two decedents were settled this week. This includes the settlement of all claims arising from the death of Permadi Anggrimulja. Boeing continues to engage in settlement discussions on the few remaining, unsettled claims.

At a recent hearing on the Permadi matter, the Court set a briefing schedule for Boeing's *forum non conveniens* motion. Because the Permadi claims have settled and because the parties continue to engage in settlement discussions on the few unsettled cases, Boeing respectfully requests that the Court suspend the *forum non conveniens* briefing schedule and continue the stay of the litigation. Boeing further requests that the Court set a deadline for the next status report of January 14, 2022.

Factual Background and Recent Developments

The Plaintiffs and Boeing committed at the outset to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court

adopted the parties' proposal and struck all pending deadlines in the litigation to allow the settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims, including using virtual mediations due to the COVID-19 pandemic.

On October 15, 2021, the court held a hearing on Plaintiff Sri Umi Anggraini and Khan Family Claimants' Motion to Appoint Guardian Ad Litem for Minor A.R.N. Following that hearing, the Court entered a minute order denying the motion and setting a briefing schedule for Boeing's motion to dismiss for *forum non conveniens*. Since then, Boeing and all plaintiffs asserting claims relating to the death of Permadi Anggrimulja have reached a settlement. Boeing also separately settled a claim brought by an alleged wife of another Indonesian decedent. With this settlement, Boeing has now resolved all claims relating to that decedent.

With this week's settlements, Boeing has fully settled the claims filed in this Court on behalf of 183 decedents from the tragic Lion Air Flight JT610 accident. Another claim was fully settled without litigation being filed. There remain only three decedents whose families have brought claims in this litigation that have not yet settled.

- Boeing continues to negotiate settlement of the claim arising from the death of an Indonesian businessman, working closely with the mediator.
- In another claim, which involves a non-Indonesian decedent, the parties continue to discuss exchanging information prior to mediating. Boeing remains hopeful that a mediation will be scheduled soon on this claim.
- In another claim, which involves the other non-Indonesian decedent, the parties have continued their direct settlement discussions since the last mediation of that claim in late May.

Separately, since the last status report, Boeing's undersigned counsel was contacted by an attorney representing the families of the last two decedents whose claims have not yet settled or been filed in this litigation. Once the necessary damages information about the claims is provided, Boeing expects to engage in good-faith negotiations to try to resolve those claims.

Boeing does not believe that an impasse has been reached in any of the ongoing settlement discussions.

Status of Individual Actions

Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

By Action	
Dismissed	77
Expected to be Dismissed	7
Remaining	3
Total	87

By Decedent	
Fully Settled	183
Partially Settled	0
Fully Unsettled	3
Total	186

To date, 87 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 186 different decedents out of the 189 people

who were on board Lion Air Flight 610.¹ The parties have fully settled—and are at various stages of documenting (as discussed below)—claims on behalf of 183 of the 186 decedents on whose behalf claims have been filed.

The claims relating to 173 decedents have been settled and fully dismissed, either through a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 77 of the 87 actions filed so far, leaving 10 individual actions that are currently open. A list of those 10 actions follows below. The 10 open actions involve claims on behalf of 13 different decedents.

Of the claims for 13 decedents in the open actions, the plaintiffs and Boeing have settled the claims for 10 of those decedents. These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that the dismissal of these claims will include the full dismissal of 10 of the 13 currently open actions. Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining claims.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 184 claims have fully or partially settled. This total includes one claim that settled prior to suit being filed. As discussed above, Boeing has been approached by the families of the two remaining decedents who have not yet either settled with Boeing or filed claims in this litigation and is working with them to try to resolve their claims outside of litigation.

List of Currently Open Actions

CASE NO.	CASE NAME
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company

¹ Although the claims relating to some decedents have been included in multiple, separate actions, there are 186 different, unique decedents represented in the cases filed to date.

CASE NO.	CASE NAME
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-05498	Sethi v. The Boeing Company
1:20-cv-05773	Khan v. The Boeing Company

Conclusion

Pursuant to the mediation process approved by the Court and with the assistance of Judge O'Connell, the parties have made continued progress in resolving these claims. For the reasons stated above, Boeing respectfully requests that the Court continue to stay the litigation, suspend the *forum non conveniens* briefing schedule, and set a deadline of January 14, 2022, for Boeing's next status report.

DATED: November 11, 2021

THE BOEING COMPANY

By: /s/ Mack H. Shultz, Jr.
One of its Attorneys

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CERTIFICATE OF SERVICE

I, Mack H. Shultz, Jr., certify that on November 11, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 11th day of November 2021.

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